

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

NATHANIEL OWENS, et al.,

Plaintiffs

v.

MARTIN HORN, et al.,

Defendants

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No. 3:02-CV-0356

(JUDGE CAPUTO)

**MEMORANDUM ORDER**

Before me is Plaintiffs' Motion to Vacate a Void Judgment (Doc. 496). The plaintiffs take issue with my memorandum and order of June 26, 2008 (Doc. 472) in which I determined that Plaintiff Owens and Warren's claims for Fourteenth Amendment procedural due process, Fourteenth Amendment equal protection, and Pennsylvania Due Process under 37 Pa. §93.11 should be dismissed. The reasons for my determination were set forth in the Memorandum of June 26, 2008 and will not be repeated here. Motions for reconsideration should be granted when there is (1) an intervening change in controlling law; (2) there is new evidence; or (3) the need to correct a clear error of law or fact or to prevent manifest injustice. *Max's Seafood Café, ex. rel. Lou-Ann, Inc., v. Quinteros*, 176 F.3d 669, 677 (3d Cir.1999).

Plaintiffs simply disagree with the basis for my decision and otherwise offer nothing which indicates that there has been a change in the controlling law, new evidence, or a clear error of law or fact.

There is, therefore, no reason for me to reconsider my previous order.

Therefore, **IT IS HEREBY ORDERED** that Plaintiffs' Motion to Vacate a Void Judgment (Doc. 496) is **DENIED**.

Date: October 22, 2008

/s/ A. Richard Caputo  
A. Richard Caputo  
United States District Judge